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Counsel for Defendant Milton Kaululaau

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

MILTON KAULULAAU,

Defendant.

No. CR 12-00675-001 WHA

**STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING SENTENCE  
REDUCTION UNDER U.S.S.G. § 1B1.1(b)  
AND AMENDMENT 782**

**IT IS HEREBY STIPULATED AND AGREED**, by and between the parties acting  
through their respective counsel, that:

1. Defendant is making an unopposed motion for modification of his sentence pursuant to  
18 U.S.C. § 3582(c)(2).
2. Defendant's original guideline calculation was as follows:  
Total Offense Level: 25  
Criminal History Category: IV  
Guideline Range: 84 to 105 months

1 Mandatory Minimum: 60 months

2 3. Defendant was sentenced to 78 months imprisonment on April 2, 2013.

3 4. According to the Bureau of Prisons, Defendant's current projected release date is June 3,  
4 2018.

5 5. Effective November 1, 2014, this Court may order a modification in defendant's sentence  
6 pursuant to 18 U.S.C. § 3582(c), USSG § 1B1.10(b)(1), and Amendment 782, to the  
7 United States Sentencing Guidelines Manual.

8 6. Defendant's revised guideline calculation is as follows:

9  
10 Total Offense Level: 23

11 Criminal History Category: IV

12 Guideline Range: 70 to 87 months

13 Mandatory Minimum: 60 months

14 7. The parties have no reason to dispute the Sentence Reduction Investigation Report  
15 submitted to the Court by the Probation Office.

16 8. Based upon the foregoing, the parties hereby stipulate that the Court may enter an order  
17 **reducing Defendant's total term of custody to 70 months**, effective November 1,  
18 2015.

19 9. The parties further stipulate that all other aspects of the original judgment order including  
20 the length of term of supervised release, all conditions of supervision, fines, restitution,  
21 and special assessment remain as previously imposed.

22 10. Defendant stipulates that he waives and does not request a hearing in this matter pursuant  
23 to Fed. R. Crim. P. 43, 18 U.S.C. § 3582(c)(2), and *United States v. Booker*, 543 U.S. 220  
24 (2005).

25 11. Defendant waives his right to appeal the district court's sentence.  
26  
27  
28

12. Accordingly, the parties agree that an amended judgment in accordance with this stipulation may be entered by the Court in pursuant to 18 U.S.C. § 3582(c) and USSG § 1B1.10(b)(1), Amendment 782 of the Sentencing Guidelines Manual. A Sentencing Reduction Investigation Report and a proposed amended judgment will be submitted to the Court.

IT IS SO STIPULATED.

July 6, 2015

/s/

DATED

MELINDA L. HAAG  
United States Attorney  
J. DOUGLAS WILSON  
Assistant United States Attorney  
Northern District of California

July 6, 2015

/s/


DATED

STEVEN G. KALAR  
Federal Public Defender  
SHILPI AGARWAL  
Assistant Federal Public Defender  
Northern District of California

IT IS SO ORDERED.

July 7, 2015.

DATED

  
William Alsup  
United States District Judge